

FORM PTO-1390
(REV. 02/2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

7003/42

U.S. APPLICATION NO. (if known, see 37 CFR 1.55)

Unassigned **10/541633**INTERNATIONAL APPLICATION NO.
PCT/DE2004/000012INTERNATIONAL FILING DATE
02 January 2004PRIORITY DATE CLAIMED
03 January 2003

TITLE OF INVENTION

USE OF ACTIVE INGREDIENTS FOR THE PROPHYLAXIS AND/OR THERAPY OF VIRAL DISEASES

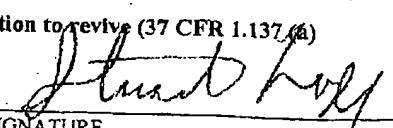
APPLICANT(S) FOR DO/EO/US: Oliver PLANZ; Stephan PLESCHKA; Hans-Harald SEDLACEK; Stephan LUDWIG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: Statement Under 37 CFR 3.73(b), including copy of Assignment

U.S. APPLICATION NO. 10/541633 <small>10/541633</small>		INTERNATIONAL APPLICATION NO. <small>PCT/DE22004/000012</small>		ATTORNEY'S DOCKET NUMBER <small>7003/42</small>									
The following fees have been submitted:				CALCULATIONS PTO USE ONLY									
21. <input checked="" type="checkbox"/> Basic national fee \$300.00				\$ 300.00									
22. <input checked="" type="checkbox"/> Examination fee \$100.00 If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00				\$ 200.00									
23. <input checked="" type="checkbox"/> Search fee \$100.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$400.00 International Search Report prepared and provided to the Office \$500.00 All other situations \$500.00				\$ 400.00									
TOTAL OF 21, 22 and 23 =				\$ 900.00									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 40%;">Number of each additional 50 or Fraction thereof (round up to a whole number)</th> <th style="width: 30%;">Rate</th> </tr> <tr> <td>29 - 100 =</td> <td>0 / 50 =</td> <td>0</td> <td>x \$250</td> </tr> </table>				Total Sheets	Extra Sheets	Number of each additional 50 or Fraction thereof (round up to a whole number)	Rate	29 - 100 =	0 / 50 =	0	x \$250	\$	
Total Sheets	Extra Sheets	Number of each additional 50 or Fraction thereof (round up to a whole number)	Rate										
29 - 100 =	0 / 50 =	0	x \$250										
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00									
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE									
Total claims		15 - 20 =	0	x \$50.00	\$								
Independent claims		- 3 =	0	x \$200.00	\$								
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$								
TOTAL OF ABOVE CALCULATIONS =				\$1030.00									
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$									
SUBTOTAL =				\$ 515.00									
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 130.00									
TOTAL NATIONAL FEE =				\$ 645.00									
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+									
TOTAL FEES ENCLOSED =				\$									
				Amount to be refunded:	\$								
				charged:	\$ 645.00								
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.													
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1047</u> in the amount of <u>\$645.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.													
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1047</u> . A duplicate copy of this sheet is enclosed.													
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.													
SEND ALL CORRESPONDENCE TO:													
Mayer Fortkort & Williams, PC 251 North Avenue West, 2 nd Floor Westfield, NJ 07090				 SIGNATURE									
Tel.: 908-518-7700 Fax: 908-518-7795				NAME Stuart H. Mayer									
				NAME 35,277									
REGISTRATION NUMBER													